

भारत का राजपत्र

The Gazette of India

प्राप्तिकार वे प्रकाशित
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सं० 52] नई दिल्ली, शनिवार, दिसम्बर 25, 1965/पौष 4, 1887

[No. 52] NEW DELHI, SATURDAY, DECEMBER 25, 1965/PAUSA 4, 1887

इस भाग में अन्य पृष्ठ संलग्न वी जावी हैं जिससे कि वह अलग संकलन के स्वरूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 13 दिसम्बर 1965 तक प्रकाशित किये गये।

The undermentioned Gazettes of India Extraordinary were published upto the 13th December, 1965:—

Issue No.	No. and Date	Issued by	Subject
185	G.S.R. 1822, dated 7th Rajya Sabha Secretariat December, 1965.	Further amendments in the First Schedule to the Rajya Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1957.	
	G.S.R. 1823, dated 7th December, 1965.	Do.	Further amendment in the Rajya Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1957.
	G.S.R. 1824, dated 7th December, 1965.	Do.	Further amendment in the Second Schedule to the Rajya Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1957.

Issue No.	No. and Date	Issued by	Subject
186	G.S.R. 1825, dated 7th December, 1965.	Ministry of Food & Agriculture.	Rescission of the Rice and Paddy (Assam) Second Price Control Order, 1962.
	G.S.R. 1826, dated 7th December, 1965.	Do.	The Delhi specified Foodstuffs (Declaration and Prohibition of Sale) Order, 1965.
	G.S.R. 1827, dated 7th December, 1965.	Do.	The Delhi Rationed Articles (Movement Control) Order, 1965.
	G.S.R. 1828, dated 7th December, 1965.	Do.	Delegation of powers under rule 125(3)(c) of the Defence of India Rules, 1962 to the authorised officer.
187	G.S.R. 1829, dated 8th December, 1965.	Ministry of Finance	Exempting cellulose acetate falling under Item No. 15A of the First Schedule to the Central Excises and Salt Act, 1944 and used for the production of acetate yarn from the duty of excise leivable thereon.
	G.S.R. 1830, dated 8th December, 1965.	Do.	Amendment to notification No. 38/65-Central Excises, dated 28th February, 1965.
188	G.S.R. 1831, dated 8th December, 1965.	Ministry of Food and Agriculture.	The Rice (Northern Zone) Movement Control Amendment Order, 1965.
	G.S.R. 1832, dated 8th December, 1965.	Do.	The Inter-Zonal Wheat and Wheat Products (Movement Control) Fourth Amendment Order, 1965.
189	G.S.R. 1833, dated 11th December, 1965.	Ministry of Home Affairs	The Defence of India (Sixth Amendment) Rules, 1965.
190	G.S.R. 1834, dated 13th December, 1965.	Ministry of Finance	The Tax Credit Certificate (Equity Shares) Scheme, 1965.

ऊपर लिखे असाधारण गजटों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II-खण्ड 3-उपखण्ड (i)

PART II—Section 3—Sub-section (i)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य-संघों के प्रशासनों को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किए गए विधि के अन्तर्गत बनाये और जारी किये गये साधारण नियम (जिनमें साधारण प्रकार के आवश्यक, उप-नियम आदि सम्मिलित हैं)।

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

New Delhi, the 16th December 1965

G.S.R. 1864.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Income-tax Appellate Tribunal Members (Recruitment and Conditions of Service) Rules, 1963, namely:—

1. These rules may be called the Income-tax Appellate Tribunal Members (Recruitment and Conditions of Service) Amendment Rules, 1965.
2. In sub-rule (3) of rule 4 of the Income-tax Appellate Tribunal Members (Recruitment and Conditions of Service) Rules, 1963, the following words shall be omitted, namely:—

“or by personal contacts”.

[No. F. 13(4)/61-ITAT.]

A. S. LOKANATHAN, Under Secy.

MINISTRY OF CIVIL AVIATION

New Delhi, the 13th December 1965

G.S.R. 1865.—In exercise of the powers conferred by Section 5 of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following rules further to amend the Indian Aircraft Rules, 1937, namely:—

1. These rules may be called the Indian Aircraft (Sixth Amendment) Rules, 1965.
2. In the Indian Aircraft Rules, 1937,—

- (a) to sub-rule (1) of rule 39-B, the following shall be added as Explanation, namely:—

“Explanation.—For the purposes of this sub-rule ‘approved medical authority’ means a medical authority approved by the Director General”.

- (b) in sub-paragraph (b) of paragraph 1 of Sections B, C, J, L and R of Schedule II for the words “a registered medical practitioner”, wherever they occur, the words “an approved medical practitioner”, shall be substituted.

[No. F. 10-A/101-60/AR/AM(24).]

S. N. KAUL, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

PORTS

New Delhi, the 16th December 1965

G.S.R. 1866.—The following draft of certain rules further to amend the Port of Bombay Passenger Boat Rules, 1962, published in the notification of the Government of India in the Ministry of Transport (Department of Transport—Transport Wing) Ports, No. G.S.R. 1628, dated the 23rd November, 1962, relating to the Port of Bombay Passenger Boats Rules, 1962, which the Central Government proposes to make, in exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 20th January, 1966.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date above specified will be considered by the Central Government.

Draft Rules

1. These rules may be called the Port of Bombay Passenger Boats (Amendment) Rules, 1965.

2. In the Port of Bombay Passenger Boats Rules, 1962,—

(a) in rule 12, for the words “in his discretion”, the words, “by order and for reasons to be recorded therein,” shall be substituted;

(b) rule 14 shall be re-numbered as sub-rule (1) thereof and after the said sub-rule, the following sub-rule shall be inserted, namely:—

“(2) Any person aggrieved by—

(i) any alteration or reduction in the number of landing places from which a boat is licensed to ply;

(ii) any refusal to renew the licence of a boat, made under sub-rule (1), may prefer an appeal to the Chairman, Bombay Port Trust.”;

(c) for rule 15, the following rule shall be substituted, namely:—

“15. *Suspension and revocation of licences.*—(1) In the event of any licensed boat being at any time found unfit for the conveyance of the public or of the licensee or other attendant thereof appearing unfit to be entrusted with the charge of the same or of the boat being used for any purpose other than that for which the licence is granted or in the case of breach of any of the provisions of these rules, the Deputy Conservator, after giving the licensee an opportunity to be heard may, by order in writing and for reasons to be recorded therein, suspend or revoke the licence.

(2) Any person aggrieved by an order under sub-rule may prefer an appeal to the Chairman, Bombay Port Trust.”

[No. F. 8-PG(103)/64.]

R. RANGARAJAN, Under Secy.

MINISTRY OF INDUSTRY & SUPPLY

(Department of Industry)

(Central Boilers Board)

New Delhi, the 10th December 1965

G.S.R. 1867.—The following draft Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in

exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published, as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st December, 1965.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Industry and Supply, (Department of Industry), Udyog Bhawan, New Delhi.

Draft Regulations

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1965.

2. In the Indian Boiler Regulations, 1950, in Appendix 'G', the following items shall be inserted at the end, namely:—

"Rheinstahl Hüttenwerke AG, Werk Ruhrstahl Henrichshutte, Hattingen/Rhur, West Germany."

[No. BL-8(8)/64-EEI.]

G.S.R. 1868.—In pursuance of clause (g) of Regulation 2 of the Indian Boiler Regulations, 1950, the Central Boilers Board hereby makes the following amendment to the notification of the Government of India in the late Ministry of Works, Housing and Supply, Central Boilers Board No. S.R.O. 3482, dated the 18th October, 1957, namely:—

In the said notification, in paragraph II, in serial No. 4, under the heading 'Area of operation', for the words "British Isles and Poland", the words, "British Isles, Poland and West Germany" shall be substituted.

[No. BL-6/1/65-EEI(i).]

P. J. MENON, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 17th December 1965

G.S.R. 1869.—In pursuance of sub-rule (1) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954, the Central Government, in consultation with the Government of Mysore and the Union Public Service Commission hereby makes the following regulations further to amend the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, namely:—

1. (1) These Regulations may be called the Indian Administrative Service (Appointment by Promotion) Fourth Amendment Regulations, 1965.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Indian Administrative Service (Appointment by Promotion) Regulations, 1955, in the entries in column 3 relating to the State of Mysore, for the words 'Additional Development Commissioner the words 'Development Commissioner and Special Secretary to the Government of Mysore' shall be substituted.

[No. 14/44/65-AIS(III).]

O. S. MARWAH, Under Secy.

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 29th October 1965

G.S.R. 1870.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Directorate of Advertising and Visual Publicity (Recruitment to Class IV posts) Rules, 1960, published with the Notification of the Government of India in Ministry of Information and Broadcasting No. G.S.R. 827, dated the 15th July, 1960.

1. These rules may be called the Directorate of Advertising and Visual Publicity (Recruitment to Class IV posts) Second Amendment Rules, 1965.

2. In the Schedule to the Directorate of Advertising and Visual Publicity (Recruitment for Class IV posts) Rules, 1960, against each of the posts of Helper, Cleaner, Chowkidar, Sweeper, and Sweeper-cum-Frash, the following shall be inserted in column 10 as desirable educational qualification, namely:—

“Desirable—Primary School Standard Pass”.

[No. 2/22/60-Est./U.S.(P).]

S. PADMANABHAN, Under Secy.

New Delhi, the 9th December 1965

G.S.R. 1871.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Information Service Rules, 1959, published with the notification of the Government of India in the Ministry of Information and Broadcasting No. G.S.R.-217(CIS), dated the 16th February, 1959, namely:—

1. (i) These rules may be called the Central Information Service (Sixth Amendment) Rules, 1965.

(ii) They shall be deemed to have come into force on the 1st day of November, 1965.

2. In the Central Information Service Rules, 1959, in Schedule II, in the second column, against the Name of Office “Publications Division”, after the entry “Assistant Editor”, “Assistant Director (Space Selling)”, shall be inserted.

[No. F. 1/10/65-CIS-Amendment 16.]

New Delhi, the 13th December 1965

G.S.R. 1872.—In exercise of the powers conferred by section 20A of the Press and Registration of Books Act, 1867 (25 of 1867), the Central Government hereby makes the following rules to further amend the Registration of Newspapers (Central) Rules, 1956, namely:—

1. These rules may be called the Registration of Newspapers (Central) Amendment Rules, 1965.

2. In the Registration of Newspapers (Central) Rules, 1956, in rule 5, in sub-rule (2), in the columns below clause (b), after the existing entries “Portuguese Bombay”, the following shall be added at the end, namely:—

“Kashmiri

Srinagar”.

[No. 5/20/64-IP].

R. K. GOVIL, Under Secy.

New Delhi, the 30th November 1965

G.S.R. 1873.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the All India Radio (Class I Posts) Recruitment Rules, 1963 published

with the notification of the Government of India in the Ministry of Information and Broadcasting No. GSR 24, dated the 23rd December, 1963:—

1. These rules may be called the All India Radio (Class I Posts) Recruitment—Fourth Amendment Rules, 1965.
2. In the All India Radio (Class I Posts) Recruitment Rules, 1963, in the Schedule, after Serial No. 4 and the entries relating thereto, the following shall be inserted, namely:—

Recruitment Rules for the Post of Station Director (Selection Grade) All India Radio

Name of Post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
5. Station Director (Selection Grade).	6	G.C.S. Class I	Rs. 1300—60— 1600—100— 1800.	Selection	N.A.	N.A.

In the Ministry of Information and Broadcasting.

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of Promotees.	Period of probation, if any.	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods.	In case of rectt. by promotion, transfer, grades from which promotion to be made.	If a D.P.C. exists in which what is its U.P.S.C. composition. is to be consulted in making recruitment.
8	9	10	11	12
N.A.	2 years	By promotion	Promotion, Station Directors (Ordinary Grade) with 6 year's service in the grade.	Class I DPC
				As required under the rules.

[No. F.13/78/62-B(A)]

J.D. JAIN, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 17th December 1965

G.S.R. 1874.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in partial modification of this Ministry's notification No. F. 2-4/57-Estt. (CHS), dated the 8th December, 1958, the President hereby makes the following rules to regulating the method of recruitment to the post of Health Education Technician, Grade II (Photography), Central Health Education Bureau, Directorate General of Health Services, namely:—

1. Short title.—These rules may be called the Directorate General of Health Services [Health Education Technician, Grade II, (Photography), Central Health Education Bureau] Recruitment Rules, 1965.

2. Application.—These rules shall apply to the post specified in column 2 of the Schedule annexed hereto.

3. Classification and scale of pay.—The classification of the said post and the scales of pay attached thereto shall be as specified in columns 3 and 4 of the said Schedule.

4. Nature of the post, method of recruitment, age limit, etc.—The nature of the post, age limit, qualifications, method of recruitment and other matters relating thereto shall be as specified in columns 5 to 12 of the Schedule aforesaid;

Provided that the upper age limit specified for direct recruitment may be relaxed in the case of any person belonging to any Scheduled Caste or Scheduled Tribe or other special category, in accordance with the general orders of the Central Government issued from time to time.

5. Disqualification.—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by

reason of its taking place during the life time of such spouse, shall be eligible for appointment to the said posts; and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the said posts:

Provided that the Central Government may, if satisfied, that there are grounds for so doing, exempt any person from the operation of this rule.

THE SCH

Serial No.	Name of post	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
1	Health Education Technician Grade II (Photography)	General Central Service Class III, Non-Gazetted Non-ministerial.	Rs. 250-10- 290-15-380	Non-Selection	35 years and below

DULE

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct rectt. will apply in the case of promotees	Period of probation, whether if any	Method of rectt., whether by direct rectt. or by promotion or transfer and percentage of vacancies to be filled by various methods	In case of rectt. by promotion transfer grade from which promotion transfer made	Circumstances in which U.P.S.C. is to be consulted in making rectt.
7	8	9	10	11	12
<i>Essential</i>	No.	Two years	50% by direct recruitment and 50% by promotion	Health Education Technician Grade III (Photography) with at least three years' experience in the grade.	Not applicable
(1) Matriculation or equivalent. (2) Diploma or Certificate in Fine Arts or Commercial Art from a recognised school of Arts. (3) Proficiency in Photography.					
<i>Desirable</i>					
About three years' experience in photographic art work connected with translating scientific ideas to lay people.					

[No. F.38-30/65-Estt.(P).]

K. SATYANARAYANA, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

New Delhi, the 9th December 1965

G.S.R. 1875.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Deep Sea and Off-Shore Fishing Stations (Recruitment to Class III and Class IV posts) Rules, 1959 published with Notification of the Government of India in the Ministry of Food and Agriculture, Department of Agriculture No. F. 3-32/58-FY(D) dated the 19th March, 1959, namely:—

- (1) These rules may be called the Deep Sea and Off-Shore Fishing Stations (Recruitment to Class III and Class IV posts) Amendment Rules, 1965.
- (2) In the Schedule to the Deep Sea and Off-Shore Fishing Stations (Recruitment to Class III and Class IV posts) Rules, 1950, after item 15 and the entries relating to them, the following items and entries shall be inserted, namely:—

1	2	3	4	5
15-A Draughtsman	General Central Service Class III Non-Gazetted. Non-Ministerial.	Rs. 150-5-175- 6-205-EB-7- 240.	Not applicable. Between 21 and 30 years.	
15-B. Mechanic	Do.	Rs. 125-3-131- 4-155.	Do.	Do.

6	7	8	9	10
(15-A) <i>Essential.</i> National Trade Certificate in Draftsmanship (Civil) from a recognised Institution (minimum duration of two years) and two years' experience in any drawing office.		Not applicable. 2 years	Direct recruit- ment.	Not applicable.

DESIRABLE.

Drawing experience in Port Projects.

(15-B) *Essential.*

Matriculation with experience in handling boring equipments of different types.

Do. Do. Do. Do."

Desirable.

Knowledge of classification of sub-soil matters.

[No. F. 3-27/65-FY(D).]

P. N. MATHUR, Under Secy.

(Department of Food)

(Army Purchase Organisation)

New Delhi, the 9th December 1965

G.S.R. 1876.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Army Purchase Organisation (Controlled Flour Mills) (Class III and Class IV Posts) Recruitment Rules, 1962, namely:—

1. These rules may be called the Army Purchase Organisation (Controlled Flour Mills) (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1965.
2. In the Schedule to the Army Purchase Organisation (Controlled Flour Mills) (Class III and Class IV Posts) Recruitment Rules, 1962, after item 4, the following item and the entries relating thereto shall be inserted, namely:—

3 Chowki-	8 Class IV	70-1-80	Not	By direct	18-25	Primary	six	Not	Not
dar.	Non	EB-1-85	EB-1-85	applying	recruit-	School	months.	appli-	appli-
	gazetted.			cable,	ment	pass		cable,	cable.
				100%.				desirable.	

[No. 18/21/65-CDN.]

C. R. SRINIVASAN, Under Secy.

(Department of Agriculture)

New Delhi, the 15th December 1965

G.S.R. 1877.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Fertiliser (Control) Order, 1957, namely:—

1. This Order may be called the Fertiliser (Control) Amendment Order, 1965.
2. In the Fertiliser (Control) Order, 1957, in sub-clause (4) of clause 9, for the expression “31st day of December of the preceding year”, the expression “31st day of March next following” shall be substituted.

[No. 16-23/65-M.]

K. G. G. PISHARODI, Under Secy.

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 3rd December 1965

G.S.R. 1878.—In the Schedule to the General Central Services class III and class IV posts (Tractor Training and Testing Station, Budni) Recruitment (Amendment) Rules, 1965, issued vide Notification No. 3-17/64-MY dated the 15th October, 1965, the age limit for the post of Store Keeper-cum-clerk at S. No. 17C should correctly read as 21 to 30 years in place of 21 to 50.

[No. 3-17/64-MY.]

DINA NATH, Under Secy.

MINISTRY OF FINANCE

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 28th December 1965

G.S.R. 1879.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944 the Central Government hereby makes the following

further amendment in the notification of the Government of India, Ministry of Finance (Department of Revenue) No. 105/61 Central Excises dated the 20th April, 1961, namely:—

In the said notification, in clause (iii) of the proviso, for the words "samples, not for sale" the words "Physician's sample—not to be sold" shall be substituted.

[No. 198/65.]

G.S.R. 1880.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944 and in relaxation of the provisions of rule 51A of the said Rules, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 6/64-Central Excises, dated the 25th January, 1964, namely:—

In the said notification, after the first proviso, the following proviso shall be added at the end, namely:—

"Provided further that the value of the quantity of such patent or proprietary medicines cleared after re-packing or re-labelling or both shall not exceed—

- (i) one per cent. of the value of the duty-paid clearances made during the preceding month, or
- (ii) where no such clearance has been made during the preceding month, one per cent. of the average value of the duty-paid clearances made during the preceding twelve calendar months, of all the patent or proprietary medicines."

[No. 199/65.]

E. R. SRIKANTIA, Under Secy.

(Central Board of Excise and Customs)

CENTRAL EXCISES

New Delhi, the 25th December 1965

G.S.R. 1881.—In exercise of the powers conferred by sub-rule (1) of rule 191-A of the Central Excise Rules, 1944, the Central Board of Excise and Customs hereby declares that the procedure laid down in that rule shall apply to the following articles, namely:—

1. Cushion covers; and
2. Bed-spreads.

[No. 200/65.]

G.S.R. 1882.—In exercise of the powers conferred by rule 191-B of the Central Excise Rules, 1944, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the Ministry of Finance (Department of Revenue) G.S.R. No. 546 (No. 53/59-Central Excises) dated the 9th May, 1959, namely:—

In the Table annexed to the said notification, in column (2) against Serial No. 2-A, for items (3) and (4), the following items shall be substituted, namely:—

- "(3) Chaddars or Bed-spreads.
- (4) Pillow covers or Cushion covers."

[No. 201/65.]

DAYA SAGAR, Under Secy.

(Department of Company Affairs and Insurance)

New Delhi, the 20th December 1965

G.S.R. 1883.—In pursuance of sub-clause (c) of clause (7) of section 2 of the Companies Act, 1956 (1 of 1956), the Central Government hereby specifies, for the purposes of the said sub-clause, the Oil and Natural Gas Commission, a body

corporate, established under section 3 of the Oil and Natural Gas Commission Act, 1959 (43 of 1959).

[No. 17(16)-CL.IV/65]
C. R. D. MENON, Under Secy.

Companies Tribunal
(Department of Company Affairs & Insurance)

New Delhi, the 16th December 1965

G.S.R. 1884.—In pursuance of Regulation 7 of Chapter IV of the Companies Tribunal Regulations 1964, it is notified for the information of all concerned that Bombay be and is hereby declared as a temporary Filing Centre for the period Monday the 3rd January, 1966 to Friday the 7th January, 1966 (both days inclusive) during which period the Companies Tribunal constituted under Section 10-A of the Companies Act, as amended by Act 53 of 1963, shall hold its sittings at the Life Insurance Corporation Building, Bombay Zonal Office, 'Jeevan Kendra', Jamshedji Tata Road, Fort, Bombay-1.

Any party desirous of filing application, petition, appeal or other documents for adjudication by the Companies Tribunal under Section 111, section 155, section 203 in so far as it relates to the granting of leave under that section, Sections 234-A, 240-A, 388-B, 397 to 407 and 635-B of the Companies Act, 1956, may file the same in the temporary Office of the Tribunal at the aforesaid address in Bombay between the hours 10-30 A.M. to 4-30 P.M. during the aforesaid period.

[No. 8(1)-CT/65.]
M. P. SAXENA, Registrar.

(Revenue Division)
(Central Excise Collectorate, Kanpur)

NOTICE
Kanpur, the 10th December 1965

G.S.R. 1885.—It is hereby notified for the information of the public that a quantity of 2768 Kgs. of OFC hooka tobacco has been seized by the Central excise staff on 26th July, 1964 at Bewar Octroi Post No. 2 named as "Ganga Dwar" as unclaimed and no person has turned up to claim the seized tobacco.

Any person claiming the above seized tobacco should adduce evidence of his ownership to this office within a month from the date of issue of this notice, failing which no claim will be entertained and the seized tobacco will be disposed of by public auction.

सूचना

जनता को सूचित किया जाता है कि केन्द्रीय उत्पादन शूलक विभाग के कर्मचारियों ने दिनांक २६ जुलाई १९६४ को बेवर की चुंगी छोकी नं० २ गंगाद्वार पर अवासी रूप में पाया गया २७६८ किलोग्राम हुक्का तम्बाकू जब्त किया है। उक्त तम्बाकू का कोई भी दावेदार अभी तक उपस्थित नहीं हुआ है।

उक्त तम्बाकू का यदि कोई भी दावेदार व्यक्ति है तो उसे उसके स्वामित्व का प्रमाण इस सूचना के जारी होने की तारीख के एक माह के मन्दर इस कार्यालय में प्रस्तुत करना चाहिये।

उक्त अवधि के व्यतीत हो जाने पर कोई भी दावा स्वीकार न किया जावेगा और तम्बाकू नीलाम कर दिया जायेगा।

[C. No. V.(A) 13/off/(01)13/65/41942.]
VIPIN MANEKLAL, Collector.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 14th December 1965

G.S.R. 1886.—In exercise of the powers conferred by section 58 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following rules further to amend the Mines Rules, 1955, the same having been previously published and referred to Mining Boards concerned as required by sub-sections (1) and (4) of section 59 of the said Act, namely:—

1. These rules may be called the Mines (Second Amendment) Rules, 1965.
2. In rule 2 of the Mines Rules, 1955 (hereinafter referred to as the said Rules),—

- (i) in clause (f), after the word "management", the word "supervision" shall be inserted;
- (ii) clause (h) shall be omitted; and
- (iii) clause (i) shall be relettered as clause (h) and after the clause as so relettered, the following clause shall be inserted, namely:—

"(1) "ordinarily employed" with reference to any mine or part thereof, means the average number of persons employed per day in the mine or part of mine during the preceding quarter (obtained by dividing the number of mandays worked by the number of working days excluding rest days and other non-working days);"

3. For rule 6 of the said Rules, the following rules shall be substituted, namely:—

“6. Term of Office.—A person appointed under clause (c) or nominated under clause (d) or clause (e) of sub-section (1) of section 12 shall, unless he resigns his office or dies at an earlier date, hold office for a period of three years from the date of the notification appointing or, as the case may be, nominating him a member of the Board and shall be eligible for reappointment or renomination:—

Provided that a member shall, notwithstanding the expiration of his term, continue to hold office until his successor is appointed or, as the case may be, nominated."

4. In rule 9 of the said Rules, in sub-rule (2), for the word "nominated", the word "appointed" shall be substituted.

5. In rule 22 of the said Rules:—

- (a) for sub-rule (1) the following sub-rule shall be substituted namely:—

"(1) If a court of inquiry finds that the accident was due to any carelessness or negligence on the part of the management, the court may direct the recovery of the expenses of such court, including, any other expenses connected with the inquiry, from the owner, agent or manager of the mine concerned, in such manner and within such time as the court may specify."

- (b) in sub-rule (2), for the words "to be paid" the words "to be recovered" shall be substituted.

6. In rule 25 of the said Rules, for the word and figures "43 and 47", the word and figures "and 43" shall be substituted.

7. In rule 28 of the said Rules, in sub-rule (1), the words and figures "or section 47" shall be omitted.

8. Rule 40 shall be renumbered as sub-rule (1) thereof, and:—

- (a) in the said sub-rule, for clause (ii) the following clause shall be substituted, namely:—

"(ii) for the speedy removal, from the mine, of persons who suffer bodily injury or become ill to a hospital or dispensary."

- (b) after the said sub-rule, the following sub-rule shall be inserted, namely:—

"(2) Unless otherwise approved by an order in writing of the Chief Inspector or an Inspector and subject to such conditions as may be specified therein, the arrangements for the purpose of clause (ii) of sub-rule (1) shall be by means of a proper ambulance van."

9. In rule 41 of the said Rules, for the words "under these rules", the words and figures "or to be in charge of a first-aid station referred to in rule 44" shall be substituted.

10. For rule 42 of the said Rules, the following rule shall be substituted, namely:—

"42. *First-aid personnel*.—(1) The owner, agent or manager of a mine shall see that every first-aid station provided under rule 44 is placed, during every working shift, in charge of a person holding qualifications specified in rule 41. The person in charge of a first-aid station in any shift should be readily available throughout the shift.

(2) The name and designation of every person appointed to be in charge of a first-aid station shall be prominently displayed at every first-aid station.

(3) An up-to-date list of persons appointed to be in charge of first-aid stations in the mine shall be kept in the office of the mine and also displayed prominently at the first-aid room."

11. For rules 44 and 45 of the said Rules, the following rules shall be substituted, namely:—

"44. *First-aid stations*.—(1) At every mine there shall be provided and maintained first-aid equipment as prescribed in the Third Schedule, at conveniently accessible stations where injured persons may receive first-aid treatment, as follows:—

(a) above ground, one first-aid station—

- (i) at the top of every shaft or incline where men or material are normally wound or hauled;
- (ii) in every workshop;
- (iii) at every screening plant and loading place; and
- (iv) at every other place where more than 50 persons are employed at any one time.

(b) in every open cast working, one first-aid station for every 50 persons or part thereof employed at any one time; and

(c) below ground, one first-aid station—

- (i) at the bottom of every shaft where men or material are normally wound, and at or near every plant;
- (ii) near the drive end of every haulage;
- (iii) in or at the entrance to every district or section of the mine:

Provided that nothing in this sub-rule shall be construed to require the provision of a first-aid station within 300 metres of another first-aid station.

(2) It shall be the duty of the person appointed to be in charge of a first-aid station under rule 42, to see that the equipment provided at the station is kept in good order and that it is replenished whenever necessary.

(3) An up-to-date list of all first-aid stations provided in the mine shall be kept in the office of the mine and also displayed prominently at the first-aid room."

"45. *Carrying of first-aid outfit by officials*.—Notwithstanding anything contained in rule 42, every overman, foreman, sirdar, mate, shot-firer, blaster, electrician and mechanic in a mine shall hold the first-aid qualifications specified in rule 41 and shall carry, while on duty, a first-aid outfit consisting of one large sterilized dressing, one small sterilised dressing and an ampule of tincture of iodine or other suitable antiseptic and such outfit shall be securely packed to protect it against dirt and water."

12. In rule 46 of the said Rules:—

- (i) for clause (a), the following clause shall be substituted, namely:—
“(a) manager, undermanager, underground-manager, assistant manager, ventilation officer and safety officer;”
- (ii) for clause (c), the following clause shall be substituted, namely:—
“(c) overman, foreman, sirdar and mate;”
- (iii) for clause (d), the following clause shall be substituted namely:—
“(d) mechanical and electrical foreman and electrical supervisor.”

13. For rule 51 of the said Rules, the following rule shall be substituted, namely:—

“51. *Termination of employment.*—When the employment of a person in a mine is terminated, whether by way of dismissal, discharge or otherwise, or where such person leaves the employment, the date of such termination or leaving shall be entered against his name in the register maintained in Form B.”

14. For sub-rule (1) of rule 53 of the said Rules, the following sub-rule shall be substituted, namely:—

“(1) The owner, agent or manager of every mine shall maintain in respect of every employee thereof a record of leave with wages in Forms G and H;

Provided that if the Chief Inspector or an Inspector is of opinion that any muster roll or register maintained in accordance with any other rules for the time being in force contains all the particulars required for the observance of the provisions contained in Chapter VII of the Act, he may, by order in writing, permit the maintenance of such muster roll or register in place of the registers in Forms G and H;

Provided further that in the case of a mine exempted under section 56, the Chief Inspector or an Inspector may permit the maintenance of records of leave with wages in such manner as he may approve by order in writing.”

15. In the said Rules, rules 54, 55, 57 and 58 shall be omitted.

16. Rule 60 (excluding Notes thereto) of the said Rules shall be renumbered as sub-rule (1) thereof and,—

- (i) in sub-rule (1) as so re-numbered, the words “, and a person shall be entitled to receive overtime payment calculated on the basis of his daily wages or earnings” shall be omitted; and
- (ii) Note 1 and Note 2 to the said rule shall be renumbered as sub-rules (2) and (3) thereof respectively.

17. For rule 62 of the said Rules, the following rule shall be substituted, namely:—

“62. *Provision of Shelters.*—At every mine where more than 50 persons are ordinarily employed, there shall be provided adequate and suitable shelters at or near loading wharves, open cast workings, workshops and mine entrances where 25 or more persons are ordinarily employed, for taking food and rest;

Provided that any canteen maintained in accordance with these rules may be regarded as part of the requirements of this rule.”

18. In rule 64 of the said Rules, for the words “employing 250 or more persons on any one day in the previous calendar year,” the words “wherein more than 250 persons are ordinarily employed” shall be substituted.

19. For rule 68 of the said Rules, the following rule shall be substituted, namely:—

“68. *Maintenance of canteens and provision of staff.*—(1) Every canteen provided under these rules shall be run by the owner, agent or manager thereof who shall appoint supervisory and other staff sufficient for the proper working of the canteen.

(2) Notwithstanding anything contained in sub-rule (1), where the workers offer to run the canteen themselves and for this purpose organise a Co-operative

Society, they shall be permitted to do so with financial assistance from the management."

20. In rule 70 of the said Rules, the following Explanation shall be inserted at the end, namely:—

"Explanation.—In calculating the cost of food, drink and other items served in a canteen, expenditure on the following items shall not be taken into account:—

- (a) the cost of utensils including cooking vessels and utensils necessary to serve food to the workmen;
- (b) the cost of furniture;
- (c) the cost of coal, fuel and electricity; and
- (d) the salaries of supervisory and other staff."

21. In rule 72 of the said Rules,—

- (i) in sub-rule (1) for the words "employed ordinarily", the words "ordinarily employed" shall be substituted;
- (ii) in sub-rule (2), in clause (b), after the words "Social Science", the words "or Social Work" shall be inserted; and for the words "from any institution recognised by the Government", the words "recognised by the Government for the purpose of this rule" shall be substituted; and
- (iii) for sub-rule (4), the following sub-rule shall be substituted, namely:—

"(4) A written notice of every appointment, authorisation, discharge, dismissal, resignation or termination of service of every Welfare Officer and of the date thereof shall be sent by the owner, agent or manager, to the Chief Inspector within seven days from the date of such appointment, authorisation, discharge, dismissal, resignation or termination of service."

22. In the First Schedule to the said Rules:—

- (i) for Form B, the following Form shall be substituted, namely:—

FORM B

(See Rules 48(3), 51 and 77)

Register of employees

Name of Mine _____

Name of Owner _____

Sl. No.	Name and Surname of Husband's employee."	Father's/ Husband's Name.	Age	Nature of employment (above or below ground, and, if above ground, whether in open cast workings or otherwise).	Home address of employee	Date of commencement of employment (Village, Thana, Distt.).	Date of termination of employment (Village, Thana, Distt.).	Signature of employee.	Remarks
1	2	3	4	5	6	7	8	9	10

NOTE:—In case of adolescents, the Serial Number and date of certificate of fitness shall be entered in the remarks column.

(ii) in Form D, after the words "register of persons employed" the words "above ground" shall be inserted;

(iii) in Form E, after the words "register of persons employed above ground" the words "otherwise than in open cast workings" shall be inserted; and

(iv) in Form J, the Note at the bottom of the form shall be numbered as Note (2) and the following shall be inserted as Note (1), namely:—

"NOTE.—(1) The classification of the accidents may be under one or other of the following heads, namely:—

1. Explosions and ignitions of fire-damp and coal dust.
2. Falls of roof.
3. Falls of side.
4. In shafts (overwinding).
5. In shafts (ropes and chains breaking).
6. In shafts (whilst ascending or descending by machinery).
7. In shafts (falling down shaft).
8. In shafts (things falling down shaft).
9. In shafts (miscellaneous).
10. Suffocation by gases.
11. By explosives.
12. Irruptions of water.
13. Haulage.
14. By underground machinery.
15. Sundries underground.
16. By surface machinery.
17. On surface railways and tramways belonging to the mine.
18. By electricity.
19. Miscellaneous on surface.

23. In the Fourth Schedule to the said Rules, for item 2, the following items shall be substituted, namely:—

Nature of work	Extent of exemption	Conditions attached to exemption
‘2(a) Urgent work in case of—		
<p>(i) an accident actual or apprehended in a mine involving work such as: clearing of falls of ground or erecting or withdrawing of supports or completion of blasting operations; or</p> <p>(ii) a breakdown of any machinery, plant or equipment in a mine involving repairs, renewals or alterations necessary to avoid stoppage of normal mining operations.</p> <p>(b) work of a preparatory or complementary nature such as repairs of shafts and roadways or of haulage track; arranging for ventilation; fitting or shifting of pump, which must necessarily be carried on for the purpose of avoiding serious interference with the ordinary working of the mines.</p>	<p>Sections 28, 30, 31, 34 and 36(5).</p>	<p>(1) No person shall be employed beyond the limits of overtime specified in section 35.</p> <p>(2) The report referred to in subsection (2) of section 38 shall be sent to the Chief Inspector on or before the last day of each month.</p>

Nature of work	Extent of exemption	Conditions attached to exemption
3. Operation of continuously operated machinery including winding engines for hoisting and lowering of men.	Sections 28, 30, 31, 34 and 36(5).	(1) Applicable only when the person succeeding him fails to report for duty without prior notice, so as to enable him to work the whole or part of the subsequent shift.

24. In the Fifth Schedule to the said Rules:—

- (i) in clause 1, for the words "of any register or record", the words "of any material, plan, section, register or other record" shall be substituted;
- (ii) in clause 4, after the word "management", the word "supervision" shall be inserted;
- (iii) in clause 7, for the words "not less than two months", the words "not less than fourteen days" shall be substituted;
- (iv) in clause 11,
 - (a) after the words "in any week or", the word "normally" shall be inserted;
 - (b) before the brackets, word and figures "(Section 30)", the following words shall be inserted, namely:—
"Consecutive shifts for the same type of workers employed above ground shall not overlap."
- (v) in clause 12:—
 - (a) after the words "in any week or", the word "normally" shall be inserted;
 - (b) the words "except that a pump-minder, an onsetter or attendant of continuously operated machinery may work for not more than nine hours on any day or for not more than fifty-four hours in any week" shall be omitted;
- (vi) for clause 13, the following clause shall be substituted, namely:—
"13. Where in a mine, a person works above ground for more than nine hours or works below ground for more than eight hours on any day, or works for more than forty-eight hours in any week, whether above ground or below ground, he shall get, for such overtime work, wages at the rate of twice his ordinary rate of wages.
"Ordinary rate of wages" means the basic wages plus any dearness allowance and compensation in cash, including such compensation, if any accruing through free issue of foodgrains etc., but not including bonus. (Section 33)."
- (vii) for clause 15, the following clause shall be substituted, namely:—
"15. Except as may be permitted under clauses (a) and (c) of section 39, no person employed in a mine shall be required or allowed to work for more than ten hours in any day, inclusive of overtime. (Section 35);

(viii) in clause 19, for the words and figures "No person aged between 15 and 18 years shall work underground in a mine", the words and figures "No person below 16 years of age shall work underground in a mine. No person aged between 16 and 18 years shall work underground in a mine" shall be substituted;

(ix) for clause 22, the following clause shall be substituted, namely:—

"22. Where an Inspector is of opinion that any person working in a mine is a child, or is an adolescent without a certificate of fitness, or is an adolescent with a certificate of fitness but no longer fit to work, in the capacity stated in the certificate, he may ask the manager not to employ such person till such person has been examined or re-examined as the case may be, by a certifying surgeon and declared by him to be an adult or, if an adolescent, declared fit., (Section 43).";

(x) for clause 23, the following clause shall be substituted, namely:—

"23. (1) No adolescent who has not been granted a medical certificate certifying that he is fit for work as an adult shall be employed or permitted to be employed above ground in a mine—

(a) for more than four-and-a-half hours in any day, and
 (b) between the hours of 6 p.m. and 6 a.m.
 (2) The period of work of all such adolescents employed in a mine shall be limited to two shifts which shall not spread over more than five hours each, and there shall be no change of shifts except once in a period of thirty days and with the previous permission in writing of the Chief Inspector (Section 44).";

(xi) in clause 24, for the words "open excavation", the words "open cast working" shall be substituted;

(xii) for clause 25, the following clause shall be substituted, namely:—

"25. (1) No woman shall be employed in any part of a mine which is below ground.
 (2) No woman shall be employed in any mine above ground except between the hours of 6 a.m. and 7 p.m.
 (3) Every woman employed in a mine above ground shall be allowed an interval of not less than eleven hours between the termination of employment on any one day and the commencement of the next period of employment. (Section 46).";

(xiii) for clause 26, the following clause shall be substituted, namely:—

"26(1) For every mine, there shall be kept a register of employees showing, in respect of each person, his or her name, with the name of his father or, of her husband, as the case may be, age, sex, nature of employment, date of commencement of employment, and in case of an adolescent, reference to the certificate of fitness. The entries in the register shall be authenticated by the signature or thumb impression of the person concerned.

(2) There shall also be kept separate attendance registers for employees working—

(a) below ground;
 (b) above ground in open cast workings; and
 (c) above ground in other cases;

showing in respect of each person the name, class or kind of his employment and the hours of shift and the shift to which he belongs. The register of persons employed below ground shall show at any moment the name of every person who is then present below ground in the mine.

(3) No unauthorised person shall enter any open cast working or any workings below ground. (Section 48).";

(xiv) for clause 2, the following clause shall be substituted, namely:—

“27.(1) Every person employed in a mine who has completed a calendar years' service therein shall be allowed, during the subsequent calendar year, leave with wages, calculated,—

(a) in the case of a person employed below ground, at the rate of one day for every sixteen days of work performed by him, and

(b) in any other case, at the rate of one day for every twenty days of work performed by him.

(2) A calendar years' service referred to in sub-clause (1) shall be deemed to have been completed,—

(a) in the case of a person employed below ground in a mine, if he has during the calendar year put in not less than one hundred and ninety attendances at the mine; and

(b) in the case of any other person, if he has during the calendar year put in not less than two hundred and forty attendances at the mine.

Explanation.—For the purpose of this sub-clause,—

(a) any days of lay-off by agreement or contract or as permissible under the standing order;

(b) in the case of a female employee, maternity leave for any number of days not exceeding twelve weeks; and

(c) the leave earned in the year prior to that in which the leave is enjoyed: shall be deemed to be the days on which the employee has worked in a mine for the purpose of computation of the attendance, but he shall not earn leave for these days.

(3) A person whose service commences otherwise than on the first day of January shall be entitled to leave with wages in the subsequent calendar year at the rates specified in clause (1), if—

(a) in the case of a person employed below ground in a mine, he has put in attendances for not less than one-half of the total number of days during the remainder of the calendar year; and

(b) in any other case, he has put in attendances for not less than two-thirds of the total number of days during the remainder of the calendar year.

(4) Any leave not taken by a person to which he is entitled in any one calendar year under sub-clause (1) or sub-clause (3) shall be added to the leave to be allowed to him under sub-clause (1) during the succeeding calendar year;

Provided that the total number of days of leave which may be accumulated by any such person shall not at any one time exceed thirty days in all;

Provided further that any such person who has applied for leave with wages but has not been given such leave in accordance with sub-clause (6) shall be entitled to carry forward the unavailed leave without any limit.

(5) Any such person may apply in writing to the manager of the mine not less than fifteen days before the day on which he wishes his leave to begin, for all leave or any portion thereof then allowable to him under sub-clauses (1), (3) and (4):

Provided that the number of times in which leave may be taken during any one calendar year shall not exceed three.

(6) An application for such leave made in accordance with sub-clause (5) shall not be refused unless the authority empowered to grant the leave is of opinion that owing to the exigencies of the situation the leave should be refused.

(7) If a person employed in a mine wants to avail himself of the leave with wages due to him to cover a period of illness, he shall be granted such leave even if the application is not made within the time specified in sub-clause (5).

(8) If the employment of a person employed in a mine is terminated by the owner, agent or manager of the mine before he has taken the entire leave to which he is entitled up to the day of termination of his employment, or if such person having applied for and having not been granted such leave quits his employment before he has taken the leave, the owner, agent or manager of the mine shall pay him the amount payable under clause 28, in respect of the leave not taken, and such payment shall be made, where the employment of the person is terminated by the owner, agent or manager, before the expiry of the second working day after such termination, and where a person himself quits his employment, on or before the next pay day.

(9) The unavaild leave of a person employed in a mine shall not be taken into consideration in computing the period of any notice required to be given before the termination of his employment.

Explanation.—For the purposes of sub-clauses (1) and (3), any fraction of leave of half a day or more shall be treated as one full day and fraction of less than half a day shall be omitted. (Section 52);

(xv) for clause 28, the following clause shall be substituted, namely:—

“28. For the leave allowed to a person, he shall be paid at a rate equal to the daily average of his total full time earnings during the month immediately preceding his leave, exclusive of overtime wages and bonus, but inclusive of any dearness allowance and compensation in cash including such compensation, if any, accruing through the free issue of food grains, and other articles as persons employed in the mine may, for the time being, be entitled to. If figures for his average earnings are not available, the average shall be computed on the basis of the daily average of the total full-time earnings of all persons similarly employed for that month (Section 53);”

(xvi) for clause 29, the following clause shall be substituted, namely:—

“29. Any person who has been allowed leave for not less than four days shall be paid wages due for the period of leave allowed before his leave begins. (Section 54);”

(xvii) in clause 31, for the expression “Rs. 500/-;” the expression “Rs. 1,000/-;” shall be substituted;

(xviii) in clause 32, for the expression “Rs. 50/-;” the expression “Rs. 200/-;” shall be substituted;

(xix) in clause 34, for the expression “Rs. 500/-;” the expression “Rs. 2,500/-;” shall be substituted;

(xx) clause 37 shall be renumbered as clause 40, clause 38 shall be omitted and before clause 37 as so renumbered the following clauses shall be inserted, namely:—

“37. Whoever contravenes any provision of any regulation or bye-law or of any order made thereunder relating to matters specified in clauses (d), (i), (m), (n), (o), (p), (r), (s), and (u) of section 51 shall be punished with imprisonment which may extend to six months or with fine which may extend to Rs. 2,000/- or with both (Section 72A);”

38. Whoever contravenes any order issued under sub-section (1A), sub-section (2) or sub-section (3) of section 22 shall be punished with imprisonment upto two years and fine upto Rs. 5,000/- (Section 72B);”;

39. Whoever contravenes any provision of the Act or of any regulation, rule or bye-law or of any order made thereunder [other than an

order made under sub-section (1A) or sub-section (2) or sub-section (3) of section 22], shall be punishable—

- (a) if such contravention results in loss of life with imprisonment which may extend to two years, or with fine which may extend to Rs. 5,000/- or with both; or
- (b) if such contravention results in serious bodily injury, with imprisonment which may extend to one year, or with fine which may extend to Rs. 3,000/- or with both; or
- (c) if such contravention otherwise causes injury or danger to persons employed in the mine or other persons in or about the mine, with imprisonment which may extend to three months or with fine which may extend to Rs. 1,000/- or with both. (Section 72C);

(xxi) the following clause shall be inserted at the end as clause 41, namely:—

“41. If any person who has been convicted for any offence other than an offence mentioned in clause 38 or 39 is again convicted for the same offence within two years of the previous conviction, he shall be punished, for each subsequent conviction, with double the punishment to which he would have been liable for the first contravention of such provision (Section 74).”

[No. 38/10/65-ML.]

B. K. SAKSENA, Under Secy.

